

INFORMATION PAPER

SUBJECT: Working with Contractor Personnel.

1. **Purpose.** To provide guidance on common issues involving contractor personnel who work in the federal workplace.

2. **Facts.**

a. **Attendance at Official or Unofficial Events.** Contractor personnel are not permitted to attend official or unofficial events (Organization Days, office parties, and Special Emphasis Programs) at government expense during duty hours unless their contract so specifies. Except for contracting officers, no federal employee or agency may alter the terms of that contract to allow attendance. Contractor personnel may voluntarily attend these events so long as the government is not paying for their time.

b. **Commanders Coins.** As a general rule, coins purchased with appropriated funds may not be presented to contractor personnel. Coins purchased with personal funds may be given to contractor employees (or any one else).

c. **Awards.** Contractor personnel are not authorized recipients of military or civilian incentive awards. Heads of organizations may recognize contractor personnel with the presentation of a certificate or a commander's note.

d. **Identification.** Contractors must be readily identifiable through badges or other identifiers in email, phone calls, and meetings.

e. **Gifts.** Contractors are prohibited sources and government employees may not solicit gifts from contractors. Government employees may accept items of little intrinsic value like coffee or donuts shared in the office. They may also accept unsolicited gifts up to \$20 per occasion, but not more than \$50 per source per year. Cash may never be accepted.

f. **Fundraising.** Government employees may not solicit contractor personnel for office internal fundraising. Contractor personnel may voluntarily participate in office fundraising for things such as the office coffee fund, cup and flower fund, birthday cakes, and departing mementos.

g. **Information Protection.** Government employees should protect classified, proprietary information and trade secrets from contractor personnel who do not have an official need to access such information.

h. Use of Government Resources. Contractor personnel may only use government resources in the performance of the contract.

i. Personal Relationships. Government employees should be aware of appearance problems created by personal relationships with contractor personnel and the effect of appearance problems on public perceptions and the working environment.

f. Personnel Issues. The Contractor, not government supervisors, control the leave and work schedules of contractor personnel. Holidays are governed by the contract, not by government supervisors.

g. 59-Minute Rule and Training Holidays. Heads of organizations or government personnel regardless of position have no authority to grant contractor personnel "59 minutes" nor may they grant time off for training holidays to contractor personnel.

h. Terminal Leave. Military officers on terminal leave may not work as a contractor in the federal workplace. They may, however, work for the contractor "behind the scenes" consistent with post-government employment rules and laws.

i. Contractor personnel cannot:

(1) Be placed in a position where they are under supervision, direction or evaluation of a government employee.

(2) Be placed in a position of command, supervision, administration or control over government personnel or personnel of other contractors

(3) Be used in administration or supervision of government procurement activities

j. Letters of Recommendation. Government employees should not provide contractor personnel letters of recommendation on organization letter head.

k. Use of Legal Services. Contractor personnel are not authorized to request or receive legal services from the supporting military legal office on behalf of the military organization in which they work.

CPT Davenport/ATJA/2302

Approved by COL Curry TRADOC SJA

INFORMATION PAPER

SUBJECT: Rules for Contact with Contractor Personnel.

1. **Purpose.** To provide guidance on common issues involving contractor personnel in the federal workplace.

2. **Facts.**

a. **Attendance at Official or Unofficial Events.** Contractor personnel are not permitted to attend official or unofficial events (Organization Days, Meetings, and Special Emphasis Programs) at government expense during duty hours unless their contract so specifies.

b. **Commanders Coins.** Commanders may not give coins purchased with appropriated funds to contractors.

c. **Awards.** Contractor personnel have their own awards and bonus programs and are not authorized recipients of military or civilian incentive awards.

d. **Identification.** Contractors must be readily identifiable through badges or other identifiers in email, phone calls, and meetings.

e. **Gifts.** Contractors are prohibited sources and government employees may not solicit gifts from contractors. They may accept gifts up to \$20 per occasion but not more than \$50 per source per year. Never Cash.

f. **Fundraising.** Contractor personnel cannot participate in office internal fundraising.

g. **Information Protection.** Government employees should protect all classified, proprietary information and trade secrets from contractor personnel that do not have an official need to access such information.

h. **Use of Government Resources.** Contractor personnel may only use government resources in the performance of the contract.

i. **Personal Relationships.** Government employees should be aware of appearance problems created by personal relationships with contractor personnel and its potential impact of appearance problems on public perceptions and the working environment.

l. **Personnel Issues.** Contractor supervisors control the leave and work schedules of contractor personnel. Holidays are governed by the contract not by government supervisors.

m. **59 Minute Rule and Training Holidays.** Commanders have no authority to grant contractor personnel 59 minutes, nor may they grant time off for training holidays to contractor personnel.

n. **Contractor personnel cannot:**

(1) Be placed in a position where they are under supervision, direction or evaluation of a government employee.

(2) Be placed in a position of command, supervision, administration or control over government personnel or personnel of other contractors

(3) Be used in administration or supervision of government procurement activities

o. **Letters of Recommendation.** Government employees should not provide contractor personnel letters of recommendation on organization leader head.

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